

improvements; providing that the provisions of this Act shall prevail in the event of conflict with any other general or special law; providing that if any provision hereof is held to be invalid such holding shall not affect the other provisions hereof; and declaring an emergency."

S. B. No. 14, A bill to be entitled "An Act validating the additions of land and annexations to Dallas County Water Control and Improvement District No. 6; granting sewer powers to such district; and declaring an emergency."

(With amendments.)

S. B. No. 24, A bill to be entitled "An Act amending Article 2614, Chapter 2 of Title 49, Revised Civil Statutes of Texas, 1925, so as to authorize the Board of Directors of the Agricultural and Mechanical College of Texas to invest the money constituting the perpetual fund described therein, in United States Government Securities in furtherance of the interests of said College and in accordance with the terms on which it was received; and declaring an emergency."

S. B. No. 28, A bill to be entitled "An Act creating an additional domestic relations court in Dallas County; providing the qualifications and compensation of the judge; providing for the jurisdiction of said court; providing for the transfer of cases to and from said court; providing for said judge and the judge of the Domestic Relations Court of Dallas County, the Juvenile Court of Dallas County, and the District Judges of said County sitting for each other in cases coming within their jurisdiction; providing for the filing of cases in said court; providing services of certain county and district officers for said court; providing said court being a court of record, holding court in Dallas County, having a seal and maintaining necessary records; providing for issuance of writs and punishment for contempt; providing for a court reporter and his compensation; providing for terms of court; providing for membership of the Juvenile Board, its powers and duties, providing for appeal; providing the procedure in said court; containing a saving clause; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Adjournment

On motion of Senator Hardeman the Senate at 4:32 o'clock p.m. adjourned until 11:00 o'clock a.m. tomorrow.

TENTH DAY

(Thursday, August 6, 1959)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hardeman	Secrest
Hazlewood	Smith
Herring	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Absent—Excused

Hudson	Moffett
--------	---------

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Holy Father, we bring before Thee this Senate, all its officers and servants, praying that Thou wilt bless them. These Senators, weary with the weight of their responsibilities, need Thy guidance; sorely tempted and tried, they need Thy grace. Forgive our sins and give us peace. For Christ's sake. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Hudson was granted leave of absence for today on account of illness in the family on motion of Senator Owen.

Senator Moffett was granted leave of absence for today on account of ill-

ness in the family on motion of Senator Martin.

Message from the House

Hall of the House of Representatives
Austin, Texas,
August 6, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 20, A bill to be entitled, "An Act amending Section 1, Article III, Chapter 184, Acts of the 47th Legislature, codified as Article 7047 Subdivision (40b) Section 1, of Vernon's Annotated Civil Statutes of Texas, relating to an occupation tax on sulphur producers; repealing all laws in conflict; and declaring an emergency."

The House has adopted the Conference Committee Report on House Bill No. 4 by a vote of 108 ayes, 30 noes.

Motion to reconsider the vote by which Conference Report was adopted was adopted and to table the motion to reconsider prevailed by a viva voce vote.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Bills and Resolution Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

H. C. R. No. 16, Suspending the Joint Rules so that either House may take up and consider at any time H. B. No. 20.

H. B. No. 29, A Bill to be entitled "An Act validating the incorporation of cities of less than 5,000 inhabitants, etc., and declaring an emergency."

H. B. No. 37, A Bill to be entitled "An Act placing wildlife resources of Wilbarger County under the Game and Fish Commission, etc., and declaring an emergency."

H. B. No. 11, A Bill to be entitled "An Act revising and rearranging certain statutes of Title 122 "Taxation" of the Revised Civil Statutes of Texas and certain other laws of this

State relating to taxation into a new Title to be known as Title 122A "Taxation-General" of the Revised Civil Statutes of Texas; revising statutes levying the poll tax, natural gas production tax, oil production tax, sulphur production tax, motor vehicle sales tax, cigarette tax, motor fuel (gasoline) tax, special fuels tax, utilities tax, corporation franchise tax, coin-operated machines tax, inheritance tax, additional inheritance tax, stock transfer tax, chain store tax, cement production tax, admissions tax, miscellaneous occupation taxes, and miscellaneous excise taxes; increasing or otherwise changing the rates of the motor vehicle sales tax, the cigarette tax, the utility companies tax (excepting telephone and telegraph companies) and the corporation franchise tax; reducing rate of the theater admissions tax; levying certain new and additional taxes for the support of the state government including tobacco products tax, severance beneficiary tax, hotel occupancy tax, excise taxes on boats and boat motors, air conditioners, phonographs and component parts; providing procedures for the administration and enforcement of such taxes and penalties for violations thereof; providing for the use of certain funds for tax administration and enforcement purposes; providing for the allocation of funds under this Title; amending Section 21 of Article 1, Chapter 467, Acts of the 44th Legislature, Second Called Session, 1935, as amended (compiled as Article 666-21 of Vernon's Annotated Penal Code of Texas) increasing the tax on distilled spirits and wine; specifically repealing certain enumerated statutes and acts relating to taxation and certain other laws replaced by this Act; providing for rules and regulations for administration; providing rules of construction and interpretation of this Act; providing a savings clause; providing a severability clause; providing for an effective date; and declaring an emergency."

Senate Resolution 46

Senator Smith offered the following resolution:

WHEREAS, We are honored today to have in the gallery of the Senate, the Babe Ruth Baseball Club of Brownfield, Texas, the champions of their area, accompanied by Mr. Bur-

ton Hackney, and coaches D. D. Lewis and Dale Travis, and

WHEREAS, These fine boys are on an educational tour of the Capitol Building and the Capital City while in Austin playing in the State play-offs of the Babe Ruth League, and

WHEREAS, This fine group of young American citizens is here to observe and to learn at first hand the workings of their State government; now, therefore, be it

RESOLVED, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Smith by unanimous consent presented the guests to the Members of the Senate.

Senate Bills on First Reading

By unanimous consent the following bills were introduced, read first time and referred to the Committee indicated:

By Senator Hazlewood:

S. B. No. 35, A bill to be entitled "An Act creating the constitutional office of Criminal District Attorney for Potter and Armstrong Counties; providing for the qualifications, oath, and bond required of such Criminal District Attorney; setting forth the powers, duties and privileges of such office and providing for fees, commissions and prerequisites; providing for the commissioning of such officer and providing for his salary; providing for the employment of assistants and employees providing that assistant district attorneys and investigators take the oath of office; specifying certain powers and duties of the Criminal District Attorney and his assistants; abolishing offices of the District Attorney of the 47th Judicial District and County Attorney in and for Potter County from and after January 1, 1961; providing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Lane:

S. B. No. 36, A bill to be entitled "An Act concerning the payment of

aid and compensation to persons who have paid fines or served sentences for crimes of which they are not guilty; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Resolution 47

Senator Phillips offered the following resolution:

WHEREAS, We are honored today to have as a visitor in the Senate Judge G. P. Hardy, Jr., of Bay City; and

WHEREAS, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

RESOLVED, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Phillips by unanimous consent presented Judge Hardy to the Members of the Senate.

Senate Concurrent Resolution 8

Senator Fly offered the following resolution:

S. C. R. No. 8, Authorizing Enrolling Clerk of House to make any technical correction in H. B. No. 4.

BE IT RESOLVED by the Senate, the House concurring, that the Enrolling Clerk of the House be and is hereby instructed to make any technical corrections needed in enrolling H. B. No. 4, including and covering errors in typing, punctuation, totals, statutory or bill references, and any unintentional omissions.

The resolution was read.

On motion of Senator Fly and by unanimous consent the resolution was considered immediately and was adopted.

Bills Signed

The President signed in the presence of the Senate after the caption had been read the following enrolled bills:

S. B. No. 3, A bill to be entitled "An Act to amend Section 1, Chapter 43, Acts 1931, 42nd Legislature, Regular Session, page 65, now known and identified as Article 10a of the Code

of Criminal Procedure of the State of Texas, and Article 12 of the Code of Criminal Procedure of Texas, 1925, as amended by Acts 1931, 42nd Legislature, Regular Session, page 65, Chapter 43, Sec. 3, to provide that the defendant in a criminal prosecution for any non-capital felony offense, shall have the right upon entering a plea of guilty or upon entering a plea of nolo contendere, to waive the right of trial by a Jury, and declaring an emergency."

S. B. No. 5, A bill to be entitled "An Act amending Section 2 of Senate Bill No. 129, Chapter 116, Acts of the 56th Legislature, Regular Session (codified as Article 2367a, Vernon's Annotated Civil Statutes), to provide that the requirements thereof shall not apply to the bidding for treasurer or depository of any city, county, school district, local political subdivision, or other governmental body; and declaring an emergency."

S. B. No. 8, A bill to be entitled "An Act amending Section 24A of Chapter 412, Acts of the 53rd Legislature, Regular Session, 1953, as added by Senate Bill No. 23, Acts of the 56th Legislature, Second Called Session, 1959, so as to provide that the election called for therein take place no later than December 1, 1959; and declaring an emergency."

S. B. No. 10, A bill to be entitled "An Act providing for fixing the compensation of the Judge of the District Court in the 109th Judicial District; providing the manner of payment; establishing a limitation of amount of such compensation; providing for the validity of the remaining portion of this Act if any part declared unconstitutional; repeal all laws or parts of laws in conflict; and declaring an emergency."

S. B. No. 12, A bill to be entitled "An Act amending Chapter 411, Acts of the Regular Session of the 51st Legislature, by adding a provision for a coliseum and auditorium; and declaring an emergency."

S. B. No. 18, An Act amending Section 4 of Chapter 42, 40th Legislature, 1st Called Session, Acts of 1927, codified as Article 4417a, Vernon's Civil Statutes, relating to the compensation of members of the State Board of Health, and declaring an emergency.

S. B. No. 19, A bill to be entitled "An Act ratifying, confirming and

validating Williamson County Water Control and Improvement District No. 1 and declaring it to be a validly existing and operating conservation and reclamation district under Section 59, Article 16, Constitution of Texas; etc.; and declaring an emergency."

S. B. No. 21, A bill to be entitled "An Act amending Sub-section 16 of Section II of Chapter 75, Acts of the Regular Session of the 50th Legislature (relating to the Texas Municipal Retirement System), as heretofore amended; and declaring an emergency."

S. B. No. 23, A bill to be entitled "An Act to amend Chapter 262, Acts of the Fifty-sixth Legislature, Regular Session, 1959, by adding a new section to be known as Section 6-A, so as to provide for an exclusion hearing for the District; etc.; and declaring an emergency."

S. B. No. 24, A bill to be entitled "An Act amending Article 2614, Chapter 2 of Title 49, Revised Civil Statutes of Texas, 1925, so as to authorize the Board of Directors of the Agricultural and Mechanical College of Texas to invest the money constituting the perpetual fund, described therein, in United States Government Securities in furtherance of the interests of said College and in accordance with the terms on which it was received; and declaring an emergency."

S. B. No. 26, A bill to be entitled "An Act creating and establishing road District Number 12 of Hidalgo County, Texas, under Article III, Section 52, of the Constitution of Texas, for the purpose of construction, operation, and maintenance of macadamized, graveled, or paved roads or turnpikes, or in aid thereof; etc.; and declaring an emergency."

S. B. No. 28, A bill to be entitled "An Act creating an additional domestic relations court in Dallas County; etc.; and declaring an emergency."

Senate Bill 11 with House Amendments

Senator Fly called S. B. No. 11 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Fly moved that the Senate concur in the House amendments.

The motion prevailed.

(Senator Hardeman in the Chair.)

Senate Resolution 48

Senator Dies offered the following resolution:

Whereas, With the adjournment of the Third Called Session of the Fifty-sixth Legislature at hand; and

Whereas, Throughout the Regular Session thereof and the First and Second Called Sessions, together with the current Session, the Senate has been presided over with fairness and dignity by the Honorable Ben Ramsey, Lieutenant Governor of the State of Texas and President of the Senate; and

Whereas, In recognition of his courage, impartiality and integrity, it is the desire of the Members of the Senate to express their high regard for this able official; now, therefore, be it

Resolved, By the Senate of Texas that it does hereby officially express its appreciation to Honorable Ben Ramsey, Lieutenant Governor and President of the Senate, for his fine character, ability, fairness and integrity as the presiding officer of this body, and that copies of this Resolution under the Seal of the Senate be furnished to him.

DIES
HARDEMAN
PHILLIPS
SMITH
OWEN
BAKER
REAGAN
MOORE
HAZLEWOOD
CRUMP
WILLIS
KRUEGER
BRADSHAW
AIKIN
MARTIN
HUDSON
MOFFETT
FLY
ROBERTS
LANE
FULLER
WEINERT
PARKHOUSE
COLSON
HERRING
RATLIFF
KAZEN

WOOD
ROGERS
SECREST

The resolution was read

(Senator Fly in the Chair.)

The resolution was then unanimously adopted.

Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,
August 6, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 35, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senate Bill 35 Ordered not Printed

On motion of Senator Hazlewood and by unanimous consent S. B. No. 35 was ordered not printed.

Senate Bill 14 with House Amendments

Senator Parkhouse called S. B. No. 14 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Parkhouse moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Bill 35 on Second Reading

Senator Hazlewood moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 35 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin

Baker

Bradshaw	Martin
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Smith
Herring	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—1

Rogers

Absent

Secrest

Absent—Excused

Hudson

Moffett

The Presiding Officer then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 35, A bill to be entitled "An Act creating the Constitutional Office of Criminal District Attorney for Potter and Armstrong Counties; etc.; and declaring an emergency."

The bill was read the second time and was passed to engrossment.

Senate Bill 35 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the Presiding Officer laid S. B. No. 35 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

Record of Votes

Senators Rogers and Dies asked to be recorded as voting "Nay" on the final passage of S. B. No. 35.

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated.

H. B. No. 20—to the Committee on State Affairs.

Presentation of Gavel to Lieutenant Governor Ben Ramsey

The Presiding Officer recognized

Senator Kazen and he proceeded to the stand of the Secretary of Senate and addressed the Senate.

A gavel made by the Boys Club of San Antonio for Lieutenant Governor Ben Ramsey was left with Senator Kazen when he served as Governor-for-the-day. Senator Kazen then presented the gavel to Lieutenant Governor Ben Ramsey.

Lieutenant Governor Ramsey expressed appreciation for the gift.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
August 6, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 1, Granting the heirs of J. P. Orr, deceased, permission to sue the State of Texas and the Texas Highway Department.

S. C. R. No. 4, Granting Viola Lovelace permission to sue the State.

H. C. R. No. 17, Authorizing the Enrolling Clerk of the House of Representatives to make technical corrections in House Bill No. 4.

H. C. R. No. 18, That the Third Called Session of the 56th Legislature stand adjourned sine die at 3:00 o'clock p.m. August 6, 1959.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

Presentation of Guests

Senator Willis by unanimous consent presented Mrs. Willis and the other members of his family and his brother, Phil Willis and family of San Antonio, to the Members of the Senate.

House Concurrent Resolution 17 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 17, Authorizing the Enrolling Clerk of the House to make any technical corrections necessary in H. B. No. 4.

The resolution was read and by unanimous consent the resolution was considered immediately and was adopted.

(President in the Chair)

At Ease

On motion of Senator Weinert the Senate at 11:40 o'clock a.m. stood At Ease Subject to the Call of the Chair for the purpose of holding a caucus of the Senate.

In Legislative Session

The President called the Senate to order as In Legislative Session at 11:57 o'clock a.m.

Meeting of Committee on Finance

On motion of Senator Fly and by unanimous consent the Committee on Finance was granted permission to meet while the Senate was in session.

Report of Standing Committee

Senator Fly by unanimous consent submitted the following report:

Austin, Texas,
August 6, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 14, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass but that the Committee Substitute as amended pass and be printed.

FLY, Chairman.

C. S. H. B. No. 14 was read the first time.

Committee Substitute House Bill 14 Ordered Not Printed

On motion of Senator Fly and by unanimous consent C. S. H. B. No. 14 was ordered not printed.

Committee Substitute House Bill 14 on Second Reading.

The President laid before the Senate on its second reading and passage to third reading:

C. S. H. B. 14, A Bill to be entitled "On Act to provide Three Hundred and Thirty Three Thousand Dollars (\$333,000) for additional expenses of

the Fifty-sixth Legislature by amending Section 2 and Section 2a of Chapter 241 (House Bill No. 755), Acts 1935, Forty-fourth Legislature, Regular Session as amended by Section 2 of Subdivision (b) of Section 1, Chapter 1, (House Bill No. 2) Acts, 1950, Fifty-first Legislature, First Called Session as amended by Section 1 of Article 1 of Chapter 404 (House Bill No. 660), Acts 1955, Fifty-fourth Legislature, Regular Session, as amended by Section 3 of Chapter 1 (House Bill No. 1), Acts, 1959, Fifty-sixth Legislature, Regular Session, as amended by House Bill No. 22, Acts 1959, Fifty-sixth Legislature, Second Called Session, (codified in Vernon's Civil Statutes as section 2 (e) of Article 7047c-1) so as to divert said amount from cigarette tax collections to the Legislative Expense Fund, amending Section 5a of Chapter 1, Acts, 1959, 56th Legislature, Regular Session, so as to prohibit the earmarking of funds by motion or resolution by unilateral action of either House, appropriating such moneys for the Fifty-sixth Legislature's expenses; prescribing the per diem and mileage rates of legislative members of interim committees and other agencies of the Legislature; and declaring an emergency."

The bill was read the second time.

Senator Hardeman offered the following amendment to the bill:

Amend H. B. 14, Section 1 by striking the quotation (") mark at the end thereof and adding the following: "providing, however that of the aforesaid appropriations and allocations that the sum of not to exceed Thirty-three Thousand Dollars (\$33,000.00) is specifically authorized for the purchase, laying and installation of carpet for the hall of the House of Representatives and for the repair of the voting machine of said House of Representatives."

The Amendment was adopted.

On motion of Senator Hardeman and my unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill No. 14 on Third Reading

Senator Fly moved that Senate Rule

32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 14 be placed on its third reading and final passage.

The motion prevailed by the following vote.

Yeas—28

Aikin	Lane
Baker	Martin
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Smith
Herring	Weinert
Kazen	Willis
Krueger	Wood

Absent

Secrest

Absent—Excused

Hudson Moffett

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—28

Aikin	Lane
Baker	Martin
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Smith
Herring	Weinert
Kazen	Willis
Krueger	Wood

Absent

Secrest

Absent—Excused

Hudson Moffett

Message from the House

Hall of the House of Representatives
Austin, Texas,
August 6, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: I am directed by the House to inform the Senate the the House has passed the following:

S. B. No. 31, An Act for the purpose of permitting the acquisition by the State Parks Board of the State of Texas, of lands for Indianola State Park by deed from Calhoun County including lots, tracts, and parcels of land acquired by purchase, condemnation, or by virtue of tax sales; authorizing said Board to determine the area necessary for such park; etc.; and declaring an emergency.

S. B. No. 33, An Act providing an open season on wild quail in a certain part of Jim Wells County; prohibiting hunting of wild quail at all other times; providing penalties; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 49

Senator Parkhouse offered the following resolution:

Whereas, On Saturday, July 18, 1959, the United States Navy successfully fired, on the first attempt, its new air-to-surface Corvus missile; and

Whereas, This highly significant accomplishment in a national missile program often marred by technical difficulties is worthy of especial recognition; and

Whereas, The new Corvus, a liquid propellant rocket-powered attack missile with a range of several hundred miles, received its initial test launching from the Navy's A4D Skyhawk, a long-range, carrier-based attack bomber, off the coast of California; and

Whereas, The spectacular Corvus was developed, under a prime contract from the Navy, by TEMCO Aircraft Corporation of Dallas, Texas; and

Whereas, TEMCO's performance, amply justifying the Navy's confidence, is an outstanding example of what a comparatively small enterprise can do when it is given the opportunity; and

Whereas, This technical success reflects international credit upon this State and indicates the high level of industrial and technological develop-

ment which Texas has achieved; now, therefore, be it

Resolved, By the Senate of the State of Texas, that warmest congratulations are hereby extended to the TEMCO Aircraft Corporation as a distinguished member of the Texas industrial community and of the American defense team; and, be it further

Resolved, That an official copy of this resolution be sent to the officers and directors of the corporation.

The resolution was read and was adopted.

Recess

On motion of Senator Hardeman the Senate at 12:23 o'clock p.m. took recess until 2:30 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:30 o'clock p.m. today.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
August 6, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 8, Be It Resolved by the Senate, the House concurring, that the Enrolling Clerk of the House be and is hereby instructed to make any technical corrections needed in enrolling H. B. 4 including and covering errors in typing, punctuation, totals, statutory or bill references, and any unintentional omissions.

H. B. No. 36, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Mayfair Park Municipal Utility District"; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

H. B. No. 33, A bill to be entitled "An Act amending Article 79 of the

Election Code of the State of Texas, compiled as Article 7.14 of the Election Code, Vernon's Texas Civil Statutes, by adding thereto a new Section to be known as Section 16a to provide certain procedures with respect to the arrangement of the ballot on voting machines and the casting of write-in ballots in certain counties; repealing laws in conflict; and declaring an emergency."

H. C. R. No. 19, Suspending the Joint Rules in order that either the House or the Senate may take up and consider House Bill No. 61 at any time, and they are hereby suspended.

H. B. No. 31, A bill to be entitled "An Act relating to the appointment by the court of interpreters for any person who is deaf or a deaf mute, in criminal prosecutions and causes in which such person may be committed to a mental institution; and declaring an emergency."

H. B. No. 61, "An Act appropriating funds to the Texas Youth Council for the establishment and operation of a Juvenile Parole Division in accordance with the provisions of Article 5143d, Vernon's Civil Statutes, enacted by the Fifty-fifth Legislature; and providing for the expenditure of the funds appropriated in accordance with the special and general provisions applicable to the Texas Youth Council in the General Appropriations Bill, Fifty-sixth Legislature, Third Called Session, 1959; fixing an effective date; and declaring an emergency."

H. B. No. 32, A bill to be entitled "An Act conferring upon the Game and Fish Commission regulatory authority over wildlife resources in the County of Wichita; amending Section 1 of Chapter 125, Acts of the 52nd Legislature, 1951, as amended, so as to make that Act applicable to such county; repealing certain laws and fixing the effective date of the repeal; providing for severability; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 36, To the Committee on Water and Conservation.

H. B. No. 32, To the Committee on Game and Fish.

H. B. No. 33, To the Committee on Privileges and Elections.

H. B. No. 31, To the Committee on Jurisprudence.

H. B. No. 61, To the Committee on Finance.

Reports of Standing Committees

Senator Weinert, by unanimous consent, submitted the following report:

Austin, Texas,
August 6, 1958.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your committee on Water and Conservation, to whom was referred H. B. No. 36, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

WEINERT, Chairman.

Senator Krueger, by unanimous consent, submitted the following report:

Austin, Texas,
August 6, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your committee on Game and Fish, to whom was referred H. B. No. 32, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

KRUEGER, Chairman.

House Bill 36 Ordered Not Printed

On motion of Senator Phillips and by unanimous consent H. B. No. 36 was ordered not printed.

House Bill 32 Ordered Not Printed

On motion of Senator Fuller and by unanimous consent H. B. No. 32 was ordered not printed.

Senate Concurrent Resolution 9

Senator Martin offered the following resolution:

S. C. R. No. 9, Reserving space in

the Capitol Building for Legislative offices on completion of new State Office Building and State Courts Building.

Whereas, Construction of the new State Office Building and State Courts Building is nearing completion and these buildings are expected to be occupied within the near future; and

Whereas, Various State agencies and department soon will move to these new quarters, vacating space which they are presently occupying in the State Capitol Building and relieving long-existing congestion in the Capitol Building; and

Whereas, By tradition and for practical purposes, offices of the Legislative branch of the State Government occupy space near the Chambers of the House of Representatives and the Senate in the State Capitol, although heretofore the scarcity of space has made such office facilities wholly inadequate; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that on availability of space in the State Capitol Building as a result of the forthcoming removal of various agencies and departments to their new quarters, the space so vacated be reserved for Legislative offices, with space in the East wing of the Capitol Building to be occupied by the Senate, and space in the West wing to be occupied by the House of Representatives, including an equal division of the North wing except that already allocated by law to the Legislative Reference Library; and be it further

Resolved, That a copy of this Resolution be forwarded to the Chairman of the State Board of Control for his advice and guidance.

The resolution was read.

On motion of Senator Martin and by unanimous consent the resolution was considered immediately and was adopted.

House Bill 36 on Second Reading

Senator Phillips moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 36 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Martin
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Herring	Secrest
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent

Crump	Smith
Hazlewood	

Absent—Excused

Hudson	Moffett
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The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 36, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Mayfair Park Municipal Utility District"; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 36 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid H. B. No. 36 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

House Bill 32 on Second Reading

Senator Rogers moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read

on three several days be suspended and that H. B. No. 32 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Martin
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Herring	Secrest
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

Absent

Hazlewood	Smith
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Absent—Excused

Hudson	Moffett
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The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 32, A bill to be entitled "An Act conferring upon the Game and Fish Commission regulatory authority over wildlife resources in the County of Wichita; amending Section 1 of Chapter 125, Acts of the 52nd Legislature, 1951, as amended, so as to make that Act applicable to such county; repealing certain laws and fixing the effective date of the repeal; providing for severability; and declaring an emergency."

The bill was read the second time and was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 32 to third reading.

House Bill 32 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid H. B. No. 32 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—26

Aikin	Martin
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Herring	Segrest
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

Absent

Hazlewood Smith

Absent—Excused

Hudson Moffett

Senate Resolution 50

Senator Parkhouse offered the following resolution:

Whereas, The old General Land Office Building has an important part in the heritage of this State; and therefore, be it

Resolved, That if the Building Commission has any available funds that they continue the work of restoring the old General Land Office Building.

**PARKHOUSE
HERRING
DIES**

The resolution was read and was adopted.

Report of Standing Committee

Senator Gonzalez by unanimous consent submitted the following report:

Austin, Texas,
August 6, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Privileges and Elections, to whom was referred H. B. No. 33, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

GONZALEZ, Vice-Chairman.

House Bill 33 Ordered not Printed

On motion of Senator Baker and by unanimous consent H. B. No. 33 was ordered not printed.

Message from the House

Hall of the House of Representatives
Austin, Texas,
August 6, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 7, Requesting the Texas Traffic Safety Council and other agencies concerned to make a study of the feasibility of giving all necessary training to employees of the State engaged in traffic safety activities at appropriate institutions within this State.

S. C. R. No. 9, Reserving space in the Capitol Building for Legislative Offices on completion of new State Office Building and State Courts Building.

(With Amendment.)

H. B. No. 40, A bill to be entitled "An Act creating the Laguna Madre Wildlife Sanctuary in Nueces County, Texas; prohibiting hunting in said sanctuary; describing the area; providing certain duties of the Game and Fish Commission; providing a penalty; providing a repealing clause; and declaring an emergency."

H. B. No. 47, A bill to be entitled "An Act making it unlawful to hunt, take, trap or kill wild turkey and deer in Washington County, Texas until November 16, 1960; providing penalties for violations; providing that each wild turkey or deer killed or taken constitutes a separate offense; stating that general law will prevail after November 16, 1960; amending Section 1 of Chapter 134, Acts of the Fifty-sixth Legislature, Regular Session, 1959; so as to delete Washington County from the regulatory authority therein established; and declaring an emergency."

H. B. No. 43, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known

as 'Clear Lake Shores Water District of Galveston County'; prescribing its rights, powers, privileges, and duties; providing for its governing body; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

H. B. No. 44, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as 'Bacliff Municipal Utility District'; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

The House refused to concur in Senate amendments to House Bill No. 14 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. House has appointed the following Conferees: Heatly, Slack, Thurman, Huebner, Bass.

S. C. R. No. 2, Congratulating the TEMCO Aircraft Corporation.

Respectfully submitted

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Conference Committee on House Bill 14

Senator Fly called from the President's table for consideration at this time the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 14 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following Conferees on the part of the Senate on the bill:

Senators Fly, Aikin, Martin, Lane, and Bradshaw.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the motion to grant the Request of the House

for Conference Committee on H. B. No. 14.

House Bill 33 on Second Reading

Senator Baker moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 33 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lane
Baker	Martin
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Weinert
Kazen	Wood
Krueger	

Absent

Smith	Willis
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Absent—Excused

Hudson	Moffett
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The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 33, A bill to be entitled "An Act amending Article 79 of the Election Code of the State of Texas, compiled as Article 7.14 of the Election Code, Vernon's Texas Civil Statutes, by adding thereto a new Section to be known as Section 16a to provide certain procedures with respect to the arrangement of the ballot on voting machines and the casting of write-in ballots in certain counties; repealing laws in conflict; and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 33 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President

laid H. B. No. 33 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

**House Concurrent Resolution 18
on Second Reading**

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 18, Providing for sine die adjournment of the Third Called Session of the 56th Legislature at 3:00 o'clock p.m. on August 6, 1959.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

Motion to Re-refer House Bill 61

Senator Martin asked unanimous consent to withdraw H. B. No. 61 from the Committee on Finance and be re-referred to the Committee on Counties, Cities and Towns.

There was objection.

Senate Resolution 51

Senator Aikin offered the following resolution:

Austin, Texas,
August 6, 1959.

Hon Ben Ramsey, President of the Senate, Austin, Texas.

Sir: At a caucus held on August 6, 1959, and attended by 28 Members of the Senate, the following recommendations were made, to-wit:

Be it resolved by the Senate,

That the following named employees be retained for a number of days at the per diem salary specified in each case to perform such duties as may be required of them in connection with the business of the State, viz.:

The Secretary of the Senate shall be retained during the interval between adjournment of this session and the convening of the next session of the Legislature, for which services he shall receive the same per diem (\$500.00 per month) which he now receives, and in addition thereto he and the Lieutenant Governor shall be furnished postage, telegraph, telephone, express and all other expenses incident to the office.

The Assistant Secretary of the Senate shall be employed by the Secretary of the Senate and shall be retained during the interval between adjournment of this session and the convening of the next session of the Legislature with a salary of \$14.00 per day.

The Lieutenant Governor may employ such employees as are necessary for the operation of his office from the closing of this session and until the convening of the next session and shall also employ some suitable person who shall index and annotate the Legislative Manual for the Senate of the Fifty-sixth Legislature and provide sufficient copies thereof to be paid for out of the Contingent Expense Fund for the use of the members of the Senate.

The Warrant Clerk shall be retained for a period of 28 days at a salary of \$14.00 per day.

The Calendar Clerk shall be retained for 22 days at a salary of \$14.00 per day.

The Journal Clerk, Mrs. Minnie Meier, shall be retained for a period of 360 days at \$15.00 per day, and Mrs. Olga Schneider, Assistant Journal Clerk, shall be retained for 360 days at \$13.00 per day.

The Sergeant-at-Arms, John Dorman, shall be retained for the ad interim at the same pay he now receives, and 2 assistants for 15 days at \$12.00 per day. The Lieutenant Governor may employ or retain at \$7.00 per day as many porters as may be necessary and a head porter at \$12.00 per day.

The Enrolling and Engrossing Clerk shall be retained 21 days at \$19.00 per day, and 5 assistants to assist her shall be retained for 21 days at \$11.00 per day, and 1 assistant for 21 days at \$14.00 per day.

The private secretary of each Senator may be retained for 14 days at \$14.00 per day to perform such duties as may be required of them.

The Postmistress shall be retained 6 days at \$14.00 per day, after which time the Secretary of the Senate shall attend to all mail of the Senators.

The Mailing Clerk of the Senate shall be retained for 15 days at \$14.00 per day and 1 assistant for 15 days at \$13.00 per day, and 1 assistant for 5 days at \$11.00 per day and one assistant at \$14.00 per day for 5 days.

The Chairman of the Senate Com-

mittee on Contingent Expenses is hereby authorized and directed to cause the Senate Chamber to be placed in order and an inventory made of all furniture and fixtures in the Senate Chamber and in the private offices of the members, as well as of the supplies and equipment on hand in the room of the Sergeant-at-Arms, and close his books for the First, Second and Third Called Sessions of the Fifty-sixth Legislature. He shall also examine records and accounts payable out of the Contingent Expense Fund as shall be necessary, properly to approve all claims and accounts against the Senate, and no claim or account shall be paid without his consent and approval, and he shall be entitled to receive his actual and necessary expenses incurred while in the performance of such duties during the interim.

The Lieutenant Governor shall appoint a Custodian of the Senate to perform such services as the Lieutenant Governor or the Secretary of the Senate may direct and the Custodian to receive the sum of \$11.00 per day.

Resolved, That there shall be printed 325 volumes of the Senate Journal of the First, Second, and Third Called Sessions of the Fifty-sixth Legislature, and when completed, 250 copies shall be bound in buckram and delivered to the Secretary of the Senate and one volume thus bound shall be forwarded by the Secretary of the Senate to each member of the Senate and House of Representatives, to the Lieutenant Governor, and 75 paper bound copies shall be furnished to the State Library. The printing of such Journals shall be done in accordance with the provisions of this resolution under supervision of the Chairman of the Committee on Contingent Expense, provided further, that it shall be the duty of said Chairman to refuse to receive or receipt for said Senate Journals until corrected and published in accordance with the pre-existing law as finally approved by the Chairman of the Committee on Contingent Expense of the Senate. When the accounts have been certified to by the Chairman of the Senate Committee on Contingent Expense, said accounts shall be paid out of the Contingent Expense Fund of the Fifty-sixth Legislature; and, be it further

Resolved, That all salaries herein authorized to be incurred and paid for shall be paid out of the per diem and contingent expense fund of the Fifty-sixth Legislature upon warrants signed by the Lieutenant Governor and the Secretary of the Senate. All warrants for the payment of materials, supplies and expenses of the Senate shall be paid upon warrants signed by the Lieutenant Governor and Chairman of the Senate Committee on Contingent Expenses; and be it further

Resolved, That the cash balance on hand under the provisions of S. R. No. 15 of the Forty-seventh Legislature be turned over to the Secretary of the Senate and he is directed to have full charge of the vending machines and to expend receipts thereof as now authorized by said resolution; and be it further

Resolved, That a matron be retained for the women's rest room at a salary of \$7.00 per day; and be it further

Resolved, That the Lieutenant Governor and the Chairman of the Senate Committee on Contingent Expense shall have authority to employ such additional personnel as may from time to time be required and to purchase such supplies and to make all such repairs and improvements as are necessary between the adjournment of this session and the convening of the next session of the Legislature; and be it further

Resolved, That with the approval of the Lieutenant Governor and the Chairman of the Committee on Contingent Expense, the actual expenses of members serving on interim committees whose expenses are not otherwise provided for shall be reimbursed from the Contingent Expense Fund; and be it further

Resolved, That the Lieutenant Governor is authorized to appoint a clerk during the ad interim to work under the direction of the Lieutenant Governor and the Chairman of the Contingent Expense Committee at a salary of \$8.00 per day in an office to be assigned; and be it further

Resolved, That the Lieutenant Governor is authorized to appoint Rev. W. H. Townsend, Senate Chaplain, during the ad interim as an assistant to work under the direction of the Lieutenant Governor and the Chairman of the Contingent Expense Com-

mittee at a salary of \$11.00 per day.

The Sergeant-at-Arms is specifically directed not to permit the removal of any of the property of the Senate from the Senate Chamber or the rooms of the Senate.

Respectfully submitted,

WEINERT

Chairman of the Caucus

AIKIN

Secretary of the Caucus

On motion of Senator Aikin and by unanimous consent the reading of the resolution was dispensed with and the resolution was unanimously adopted.

Election of President Pro Tempore Ad Interim for the Third Called Session of the Fifty-sixth Legislature

The President announced the election of the President Pro Tempore Ad Interim as the next order of business.

Senator Hardeman nominated Senator Frank Owen III of El Paso County as President Pro Tempore Ad Interim of the Third Called Session of the Fifty-sixth Legislature.

Senators Roberts, Ratliff, Herring, Hazlewood, Secrest, Aikin and Krueger seconded the nomination of Senator Owen as President Pro Tempore Ad Interim for the Third Called Session of the Fifty-sixth Legislature.

There being no further nominations, the President appointed Senator Aikin as teller to take up and count the ballots.

The ballots were taken up and counted and the President announced that Senator Owen had received 26 votes with one present and not voting for President Pro Tempore Ad Interim of the Third Called Session of the Fifty-sixth Legislature and declared him duly elected.

Senators Hardeman, Roberts and Ratliff were appointed to escort Senator Owen to the President's Rostrum. The President administered the Constitutional Oath of Office as President Pro Tempore Ad Interim for the Third Called Session of the Fifty-sixth Legislature to Senator Owen.

The President then presented Sen-

ator Owen to the Senate as their President Pro Tempore Ad Interim.

President Pro Tempore Owen addressed the Senate, thanking the Members for the high honor bestowed upon him and expressed the hope that he would be worthy of the praise given him and promised to perform his duties to the office to which the Members had elected him.

Conference Committee Report on House Bill 14

Senator Fly submitted the following Conference Committee Report on H. B. No. 14:

Austin, Texas,
August 6, 1959.

Hon. Ben Ramsey, President of the Senate.

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 14, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

FLY
BRADSHAW
LANE

On the part of the Senate.

HEATLY
HUEBNER
SLACK
THURMAN
BASS

On the part of the House.

C. S. H. B. No. 14,

**A BILL
TO BE ENTITLED**

An Act to provide Three Hundred and Thirty-Three Thousand Dollars (\$333,000) for additional expenses of the Fifty-sixth Legislature by amending Section 2 and Section 2a of Chapter 241 (House Bill No. 755), Acts, 1935, Forty-fourth Legislature, Regular Session as amended by Section 2 of Subdivision (b) of Section 1, Chapter 1 (House Bill No. 2), Acts, 1950, Fifty-first Legislature, First Called Session as amended by Section 1 of Article 1 of Chapter 404 (House Bill No. 660), Acts 1955, Fifty-fourth Legislature, Regular Session, as amended by Section 3 of Chapter 1

(House Bill No. 1), Acts, 1959, Fifty-sixth Legislature, Regular Session, as amended by House Bill No. 22, Acts 1959, Fifty-sixth Legislature, Second Called Session (codified in Vernon's Civil Statutes as section 2(e) of Article 7047c-1) so as to divert said amount from cigarette tax collections to the Legislative Expense Fund, amending Section 5a of Chapter 1, Acts, 1959, 56th Legislature, Regular Session, so as to prohibit the earmarking of funds by motion or resolution by unilateral action of either house, appropriating such moneys for the Fifty-sixth Legislature's expenses; prescribing the per diem and mileage rates of legislative members of interim committees and other agencies of the Legislature; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 2 and Section 2a of Chapter 241 (House Bill No. 755), Acts, 1935, Forty-fourth Legislature, Regular Session, as amended by Section 2 of Subdivision (b) of Section 1, Chapter 1 (House Bill No. 2), Acts, 1950, Fifty-first Legislature, First Called Session, as amended by Section 1 of Article 1 of Chapter 404 (House Bill No. 660), Acts, 1955, Fifty-fourth Legislature, Regular Session, as amended by Section 3 of Chapter 1 (House Bill No. 1), Acts, 1959, Fifty-sixth Legislature, Regular Session, as amended by House Bill No. 22, Acts, 1959, Fifty-sixth Legislature, Second Called Session (codified in Vernon's Civil Statutes as Section 2(e) of Article 7047c-1), be and the same is hereby further amended so as to read hereafter as follows:

"Section 2.

"(e) From and after the effective date of this Subsection (Act), the net revenue derived from the tax levied by this section 2 shall be allocated as follows:

"One-fourth ($\frac{1}{4}$) of the net revenue, after the allocation of the two and one half per cent ($2\frac{1}{2}\%$) for administration and enforcement as provided by Section 30 of Acts, 1935, Forty-fourth Legislature, page 575, Chapter 241, shall be credited to the General Revenue Fund; one-fourth ($\frac{1}{4}$) of the balance of the net revenue shall be credited to the Available School Fund and out of the remaining

three-fourth ($\frac{3}{4}$), the sum of Three hundred and thirty-three Thousand Dollars (\$333,000) shall be credited to the special fund known as the Legislative expense Fund, and the balance of such remaining three-fourths ($\frac{3}{4}$) shall be credited to the General Revenue Fund; provided, however, that after the Three Hundred and Thirty-three Thousand Dollars (\$333,000) has been allocated to the Legislative Expense Fund, all of the remaining three-fourths ($\frac{3}{4}$) thereafter shall be credited to the General Revenue Fund."

Section 2. Section 5a of Chapter 1, Acts 56th Legislature, Regular Session, 1959 (House Bill 1) be, and the same is hereby amended so as to read hereafter as follows:

"Section 5a. All moneys transferred into the Legislative Expense Fund by the provisions of this Act are hereby appropriated to pay the contingent expenses and to pay the mileage and per diem of Members and the per diem of officers and employees of the Fifty-sixth Legislature; and for the payment of such retirement contributions and Old Age and Survivors Insurance contributions as may be authorized by law; and to pay any unpaid accounts or additional expenses of the Lieutenant Governor while acting as Governor; and to pay any necessary expenses for repairs or alterations to the Legislative halls, chambers, or offices; and to pay any interim expenses of the Fifty-sixth Legislature; and to pay any unpaid accounts of the Fifty-fifth Legislature. The disbursement of moneys appropriated in this Act for salaries and wages shall be subject to the provisions of Public Law No. 68, 78th Congress, known as the Current Tax Payment Act of 1943, and any amendments thereto. None of the moneys in the Legislative Expense Fund may, by unilateral action on one House of the Legislature, in the form of a motion or simple resolution, be earmarked or in effect set aside in a special fund, account or otherwise given any priority for the exclusive use by that house; and the Comptroller of Public Accounts is hereby prohibited to issue warrants pursuant to the terms of any such motion or resolution."

Section 3. Chapter 1, Acts 1959, 56th Legislature, Regular Session (H. B. No. 1) is hereby further amended by inserting therein a new

section immediately following Section 6 to be numbered and to read as follows:

"Sec. 6-A. The per diem of Members of the Legislature serving on interim committees of the 56th Legislature shall be limited to \$8.00 per day within the boundaries of the State. The in-state mileage reimbursement for necessary and official travel performed by Members of the Legislature in serving on interim committees of the 56th Legislature created by resolution shall be calculated at the rate of eight cents per mile; and the mileage reimbursement for necessary and official travel performed by Members of the 56th Legislature in serving on interim committees or other agencies of the Legislature created by statutes shall be calculated at the rate otherwise prescribed by law."

Section 4. All moneys transferred into the Legislative Expense Fund by the provisions of this Act are hereby appropriated for the purposes described in Section 5 of Chapter 1, Acts, 1959, Fifty-sixth Legislature, Regular Session, as amended.

Section 5. The fact that the Fifty-sixth Legislature of the State of Texas is now in its Third Called Session and public policy requires that the provisions of Section 1 and 3 of this Act should be made immediately effective, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended; and that said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted by the following vote:

Yeas—22

Aikin	Lane
Baker	Martin
Bradshaw	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Kazen	Weinert
Krueger	Wood

Nays—1

Hardeman

Absent

Colson	Reagan
Fuller	Smith
Moore	Willis

Absent—Excused

Hudson	Moffett
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Message from the House

Hall of the House of Representatives
Austin, Texas,
August 6, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has adopted the Conference Committee Report on House Bill No. 14 by viva voce vote.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

(President Pro Tempore Owen in the Chair.)

At Ease

The President Pro Tempore announced at 2:42 o'clock p.m. that the Senate would stand At Ease Subject to the Call of the Chair.

In Legislative Session

The President called the Senate to order as In Legislative Session at 2:50 o'clock p.m.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the captions had been read the following enrolled bills and resolutions:

H. B. No. 4, A bill to be entitled "An Act appropriating money for the support of the Judicial, Executive, and Legislative branches of the State Government, for the construction of State buildings, the payment of claims against the State, and for State aid to designated public junior colleges, for the two-year period beginning September 1, 1959, and ending August 31, 1961; authorizing and prescribing conditions, limitations, rules, and procedures for allocating and expending the appropriated funds; and declaring an emergency."

Subject to provisions of Section 49A

of Article III of the Constitution of the State of Texas.

H. C. R. No. 17, Authorizing the Enrolling Clerk of the House of Representatives to make technical corrections in H. B. No. 4.

H. C. R. No. 18, That the Third Called Session of the 56th Legislature stand adjourned sine die at 3:00 o'clock p.m. August 6, 1959.

H. B. No. 14, An Act to provide Three Hundred Thirty-three Thousand Dollars (\$333,000) for the additional expenses of the Fifty-sixth Legislature, etc., and declaring an emergency."

Subject to the provisions of Section 49A of Article III of the Constitution of the State of Texas.

H. B. No. 36, A bill to be entitled "An Act creating the "Mayfair Park Municipal Utility District"; etc.; and declaring an emergency."

H. B. No. 33, A bill to be entitled "An Act relating to arrangement of the ballots on voting machines in certain counties; etc.; and declaring an emergency."

H. B. No. 32, A bill to be entitled "An Act placing wildlife resources of Wichita County under Game and Fish Commission; etc.; and declaring an emergency."

S. B. No. 11, A bill to be entitled "An Act amending Chapter 186, Acts 50th Legislature, Regular Session, 1947, as amended by Chapter 383, Acts 53rd Legislature, Regular Session, 1953, and Chapter 313, Acts 54th Legislature, Regular Session, 1955 (codified as Article 8280-131 in Vernon's Texas Civil Statutes, as amended), relating to Jackson County Flood Control District; etc.; and declaring an emergency."

S. B. No. 14, A bill to be entitled "An Act validating the additions of land and annexations to Dallas County Water Control and Improvement District No. 6; granting sewer powers to such district; and declaring an emergency."

S. B. No. 31, A bill to be entitled "An Act for the purpose of permitting the acquisition by the State Parks Board of the State of Texas, of lands for Indianola State Park by deed from Calhoun County including

lots, tracts, and parcels of land acquired by purchase, condemnation, or by virtue of tax sales; authorizing said Board to determine the area necessary for such Park; etc.; and declaring an emergency."

S. C. R. No. 1, Granting the heirs of J. P. Orr, deceased, permission to sue the State of Texas and the Texas Highway Department.

S. C. R. No. 4, Granting Viola Lovelace permission to sue the State of Texas and Veterans Land Board.

S. C. R. No. 8, Authorizing the Enrolling Clerk to make technical corrections in H. B. No. 4.

S. C. R. No. 2, Extending congratulations to TEMCO Aircraft Corporation on development of Corvus missile.

S. C. R. No. 7, Requesting the Texas Traffic Safety Council and other agencies concerned to make a study of the feasibility of giving all necessary training to employees of the State engaged in traffic safety activities at appropriate institutions within this State.

S. B. No. 33, A bill to be entitled "An Act providing an open season on wild quail in a certain part of Jim Wells County; prohibiting hunting of wild quail at all other times; providing penalties; and declaring an emergency."

Motion in Writing

Senator Aikin submitted the following motion in writing:

Mr. President, I move that the President appoint a committee of three members to notify the Governor that the Senate is ready to adjourn sine die.

The motion was read and was adopted.

Accordingly the President announced the appointment of the following as a committee to notify the Governor that the Senate was ready to adjourn sine die:

Senators Reagan, Phillips and Roberts.

Motion in Writing

Senator Aikin submitted the following motion in writing:

Mr. President, I move that the President appoint a committee of three members to notify the House that the Senate is ready to adjourn sine die:

The motion was read and was adopted.

Accordingly the President announced the appointment of the following as a committee to notify the House that the Senate was ready to adjourn sine die:

Senators Owen, Aikin and Herring.

House Notified

The committee to notify the House of Representatives that the Senate was ready to adjourn sine die appeared at the Bar of the Senate and Senator Owen for the committee notified the President and the Senate that the committee had performed the duty assigned it.

Governor Notified

The committee to notify the Gov-

ernor that the Senate was ready to adjourn sine die appeared at the Bar of the Senate and Senator Phillips for the committee notified the President and the Senate that the committee had performed the duty assigned it.

Senate Notified

A committee from the House appeared at the Bar of the Senate and Representative Parish for the committee announced that the House of Representatives was ready to adjourn sine die.

Adjournment Sine Die

The President announced that the time had arrived for final adjournment of the Third Called Session of the Fifty-sixth Legislature.

Senator Colson moved that the Senate stand adjourned sine die.

The motion prevailed and the President declared the Third Called Session of the Fifty-sixth Legislature adjourned sine die at 3:00 o'clock p.m.

In Memory of Mart Pool

Senator Rogers offered the following resolution:

(Senate Resolution 52)

Whereas, The Universal Father, in His infinite wisdom and understanding, did on the 23rd day of July, 1959, remove from his earthly labors, Mart Pool; and

Whereas, Mart Pool was numbered among those rare individuals capable of traveling in the company of his fellow men from any and all walks of life, traversing this vale in the happy companionship of those from all stations and positions, both high and low; and

Whereas, Mart Pool was a choice individual being endowed generously with the ability to negotiate fairly and honestly with people, and used this ability well for the benefit of his community of Plainview and the surrounding area by successfully culminating such projects as obtaining the right of way for power lines, thereby bringing electricity to those who formerly had not enjoyed it; and

Whereas, As an employee of the Southwestern Public Service Company, Mart Pool was entrusted with a great responsibility for watching over the investments and property of others, and, in doing this, proved to be a good and faithful custodian; and

Whereas, By virtue of determination, courage, and tenacity, he overcame severe health difficulties in his youth, and went on to live and lead a full, rewarding life; and

Whereas, Mart Pool's contributions to his city and to this State have been of the highest order, and will be much missed; and

Whereas, In both home and community life, this man has set patterns and examples of such a nature that they should prove beneficial to all young men and women who study them; now, therefore, be it

Resolved, by the Senate of the Third Called Session of the 56th Legislature, That we express appreciation for his valuable life and mourn his loss, and that when the Senate adjourns today it do so out of respect and honor to the memory of Mart Pool; and be it further

Resolved, That a page in the permanent Journal of the Senate be devoted to the recording of this resolution.

ROGERS

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Baker, Bradshaw, Colson, Crump, Dies, Fly, Fuller, Gonzalez, Hardeman, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Martin, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Roberts, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Hardeman and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

THIRD CALLED SESSION APPENDIX

Committees for the Ad Interim

The President of the Senate made the following appointments for the Ad Interim Committees on the part of the Senate:

Texas Commission on State and Local Tax Policy

(H. B. No. 354—Regular Session)

Senators William S. Fly, George Parkhouse and Louis Crump.

Coordinating Commission for State Health and Welfare Services

(S. B. No. 17—Regular Session)

Senators Neveille H. Colson, Bill Wood and Frank Owen, III.

Committee to Study State's Fiscal System

(H. C. R. No. 70—Regular Session)

Senators Jarrard Secrest and William T. Moore.

Texas Educational Standards Commission

(S. C. R. No. 17—Regular Session)

Senators William S. Fly, Floyd Bradshaw, Ray Roberts, and Mr. Everett Collier of Houston and Mr. Joe Anderson of Lufkin.

Texas Commission on City and County Governments

(S. C. R. No. 18—Regular Session)

Senators Robert W. Baker, Louis Crump and Frank Owen, III.

Committee to Study the Problems of the Aged

(S. C. R. No. 32—Regular Session)

Senators Crawford Martin, Doyle Willis, David W. Ratliff, Grady Hazlewood and Jep S. Fuller.

Committee to Study the Effects of Radiation

(S. C. R. No. 2—Regular Session)

Senators Culp Krueger, Bruce A.

Reagan and Robert Baker. (Appointed May 26, 1959—First Called Session.)

Senate General Investigating Committee

(S. R. No. 48—Regular Session)

Senator Wardlow Lane, Chairman, and Senators A. M. Aikin, Jr., Dorsey Hardeman, Bruce Reagan and R. A. Weinert.

Committee on Conservation of Paintings

(S. R. No. 330—Regular Session)

Senators Dorsey B. Hardeman and David Ratliff.

Committee to Investigate Practices of Investment of State Funds

(S. R. No. 566—Regular Session)

Senator Hubert Hudson, Chairman, and Senators Martin Dies, Jr., Wardlow Lane, Louis Crump and Charles F. Herring.

Committee to Study the Cost of Government

(S. R. No. 73—First Called Session)

Senators Ray Roberts, Culp Krueger, David Ratliff, Louis Crump and Floyd Bradshaw.

Committee to Study Development of Beaches

(S. B. No. 9—Second Called Session)

Senators Robert W. Baker, Bill Wood and Bruce A. Reagan.

Texas Legislative Budget Board

Senators William S. Fly, Dorsey B. Hardeman, Wardlow Lane and Crawford C. Martin.

Texas Legislative Council

Senators Bruce A. Reagan, Abraham Kazen, Jr., George Moffett, Neveille H. Colson and Preston Smith.

SUMMARY OF LEDGER ACCOUNTS

56th Legislature, Regular Session

	Total	Supplies	Telephone Telegraph	Stamps
Aikin, A. M. Jr.	\$ 389.55	\$ 151.15	\$ 176.40	\$ 62.00
Baker, Robert W.	1,006.01	430.29	270.52	305.20
Bradshaw, Floyd	595.37	155.39	179.98	260.00
Colson, Neveille H.	522.02	47.46	138.56	336.00
Crump, Louis	471.81	253.08	138.73	80.00
Dies, Martin, Jr.	689.08	423.37	165.71	100.00
Fly, William S.	567.52	225.98	281.54	60.00
Fuller, Jep S.	1,376.15	298.87	712.08	365.20
Gonzalez, Henry B.	1,110.28	533.82	224.26	352.20
Hardeman, Dorsey B.	467.37	194.77	206.15	66.45
Hazlewood, Grady	1,063.82	274.69	565.13	224.00
Herring, Charles F.	625.35	276.46	128.05	220.84
Hudson, Hubert R.	1,073.78	471.64	421.29	180.85
Kazen, Abraham, Jr.	517.74	85.34	352.40	80.00
Krueger, Culp	2,029.93	1,254.74	327.59	447.60
Lane, Wardlow	443.62	152.89	207.73	83.00
Martin, Crawford C.	850.67	293.28	311.79	245.60
Moffett, George	731.44	311.08	209.41	210.95
Moore, William T.	975.08	206.40	300.68	468.00
Owen, Frank III	1,530.00	282.71	576.29	671.00
Parkhouse, George	1,805.70	505.46	1,072.74	227.50
Phillips, Jimmy	2,131.08	776.05	595.03	760.00
Ratliff, David W.	799.98	235.15	243.78	321.05
Reagan, Bruce A.	795.69	291.74	258.95	245.00
Roberts, Ray	748.17	251.99	152.18	344.00
Rogers, Andy	1,338.16	308.91	728.25	301.00
Secrest, Jarrard	1,460.78	512.11	437.87	510.80
Smith, Preston	1,852.28	258.81	541.07	1,052.40
Weinert, R. A.	381.07	165.21	170.66	45.20
Willis, Doyle	1,479.66	409.82	549.84	520.00
Wood, Bill	1,189.97	137.71	568.04	484.22
Total Members	31,019.13	10,176.37	11,212.70	9,630.06
Lieutenant Governor Ramsey	785.68	104.41	604.27	77.00
Secretary of Senate	1,718.22	953.46	674.76	90.00
Sergeant-at-Arms	1,159.91	836.10	258.65	65.16
Calendar Clerk	153.93	94.90	59.03	
Claims and Accounts	21.50	1.50		20.00
Enrolling and Engrossing	2,293.01	2,212.77	57.24	23.00
Journal Clerk	46.75	46.75		
Mailing Room	5,260.01	3,314.33	105.68	1,840.00
Senate Post Office	100.38	27.54	52.84	20.00
Receptionist	5.67	5.67		
Finance Committee	219.40	72.57	106.83	40.00
Investigating Committee	118.48	96.38		22.10
Nominating Committee	248.73		248.73	
Postage Due	38.00			38.00
Totals	\$43,188.80	\$17,942.75	\$13,380.73	\$11,865.32

SUMMARY OF LEDGER ACCOUNTS

56th Legislature, 1st, 2nd and 3rd Called Sessions

	Total	Supplies	Telephone Telegraph	Stamps
Aikin, A. M. Jr.	\$ 360.44	\$ 63.39	\$ 276.55	\$ 20.50
Baker, Robert W.	1,043.59	188.78	430.32	424.49
Bradshaw, Floyd	418.83	168.96	229.87	20.00
Colson, Neveille H.	630.80	101.75	209.05	320.00
Crump, Louis	335.18	83.88	151.30	100.00
Dies, Martin, Jr.	463.04	143.74	191.40	127.90
Fly, William S.	471.73	97.53	334.20	40.00
Fuller, Jep S.	1,202.84	64.15	1,013.79	124.90
Gonzalez, Henry B.	1,085.65	247.84	309.31	528.50
Hardeman, Dorsey B.	325.04	97.24	187.80	40.00
Hazlewood, Grady	1,531.97	182.63	1,073.34	276.00
Herring, Charles F.	450.29	171.54	118.75	160.00
Hudson, Hubert R.	1,280.57	272.87	965.70	42.00
Kazen, Abraham, Jr.	671.47	58.46	532.01	81.00
Krueger, Culp	1,010.66	94.96	583.71	331.99
Lane, Wardlow	343.15	32.70	270.45	40.00
Martin, Crawford C.	492.07	43.28	308.79	140.00
Moffett, George	408.55	180.23	124.57	103.75
Moore, William T.	680.49	71.96	441.03	167.50
Owen, Frank III	1,157.65	23.60	976.55	157.50
Parkhouse, George	2,057.52	58.21	1,795.61	203.70
Phillips, Jimmy	1,162.99	36.71	866.28	260.00
Ratliff, David W.	641.12	27.44	393.68	220.00
Reagan, Bruce A.	356.31	31.61	244.70	80.00
Roberts, Ray	387.72	79.62	168.10	140.00
Rogers, Andy	1,588.42	115.08	1,193.34	280.00
Secrest, Jarrard	1,309.22	268.24	759.58	281.40
Smith, Preston	1,014.75	112.95	754.80	147.00
Weinert, R. A.	239.34	33.83	158.95	46.56
Willis, Doyle	1,215.58	134.46	634.12	447.00
Wood, Bill	1,121.03	131.03	921.50	68.50
Total Members	25,458.01	3,418.67	16,619.15	5,420.19
Lieutenant Governor Ramsey	413.94	38.56	375.02	.36
Secretary Senate	805.33	665.41	121.92	18.00
Sergeant-at-Arms	389.07	202.18	156.87	30.02
Calendar Clerk	56.64	13.69	42.95	
Claims and Accounts	40.00			40.00
Enrolling and Engrossing	347.40	276.93	50.47	20.00
Journal Clerk	36.94	36.94		
Mailing Room	1,971.56	902.97	68.59	1,000.00
Senate Post Office	72.43	11.56	40.42	20.45
Receptionist	65.94	65.94		
Finance Committee	128.12	3.67	96.45	28.00
Nominating Committee	7.65		7.65	
Postage Due	20.00			20.00
Totals	\$29,813.03	\$ 5,636.52	\$17,579.49	\$ 6,597.02